

TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER e: REQUIREMENTS FOR LICENSURE
PART 404
LICENSING STANDARDS FOR CHILD CARE INSTITUTIONS
AND MATERNITY CENTERS

Section	
404.1	Purpose
404.2	Definitions
404.3	Effective Date of Standards (Repealed)
404.4	Application for License
404.5	Renewal of License
404.6	Provisions Pertaining to License
404.7	Provisions Pertaining to Permits
404.8	Incorporation
404.9	Composition and Responsibilities of the Governing Body
404.10	Finances
404.11	The Administrator
404.12	Administrative Coverage
404.13	Child Care Workers Staff
404.14	Support Personnel
404.15	Substitute Child Care Staff
404.16	Volunteers
404.17	Requirements of Professional Staff
404.18	Medical and Health Services
404.19	Social Work Staff
404.20	Teachers
404.21	Recreation Staff
404.22	Staff Training
404.23	Health Requirements for Staff and Volunteers
404.24	Background Checks
404.25	Criteria for the Admission and Discharge of Children
404.26	Admission Preparation Requirements
404.27	Agreements and Consents Between Responsible Parties
404.28	Child Care Groupings
404.29	Discipline of Children
404.30	Controls
404.31	Clothing and Personal Belongings
404.32	Personal Care and Hygiene
404.33	Allowances
404.34	Education

44	404.35	Work and Training
45	404.36	Recreation and Leisure Time
46	404.37	Health and Safety
47	404.38	Food and Nutrition
48	404.39	Professional Services
49	404.40	Visitation
50	404.41	Community Life
51	404.42	Religion
52	404.43	Termination of Residential Care
53	404.44	Buildings
54	404.45	Grounds
55	404.46	Equipment
56	404.47	Records and Reports
57	404.48	Records Retention
58	404.49	Transportation
59	404.50	Severability of This Part
60	404.51	Residential Case Management Supervisors
61	404.52	Child Care Supervisors
62	404.53	Request for Approval of Applicants Under Section 404.52(c)(2)-(4)
63	404.54	Workforce and Educational Transcript Review Committee
64	404.55	Final Administrative Decision
65	404.56	Progress and Compliance Review
66	404.57	Acceptable Degrees

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 68 AUTHORITY: Implementing and authorized by the Child Care Act of 1969 [225 ILCS 10] and
 69 the Children's Product Safety Act [430 ILCS 125], the Children and Family Services Act [20
 70 ILCS 505/7.3a], and Title IV-E of the Social Security Act [42 USC 670 et seq.].
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72 SOURCE: Adopted and codified at 5 Ill. Reg. 13070, effective November 30, 1981; amended at
 73 7 Ill. Reg. 3424, effective April 4, 1983; amended at 8 Ill. Reg. 22870, effective November 15,
 74 1984; amended at 9 Ill. Reg. 19712, effective December 20, 1985; amended at 11 Ill. Reg.
 75 17504, effective October 15, 1987; amended at 21 Ill. Reg. 4488, effective April 1, 1997;
 76 amended at 24 Ill. Reg. 17031, effective November 1, 2000; emergency amendment at 26 Ill.
 77 Reg. 6868, effective April 17, 2002, for a maximum of 150 days; emergency expired September
 78 13, 2002; amended at 27 Ill. Reg. 508, effective January 15, 2003; amended at 29 Ill. Reg. 9976,
 79 effective July 1, 2005; amended at 31 Ill. Reg. 4704, effective March 19, 2007; amended at 42
 80 Ill. Reg. 20351, effective October 31, 2018; emergency amendment at 46 Ill. Reg. 1137,
 81 effective December 22, 2021, for a maximum of 150 days; amended at 46 Ill. Reg. _____,
 82 effective _____.
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84 Section 404.13 Child Care ~~Workers~~Staff

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 86 a) ~~There shall be at least one child care supervisor who shall be a full-time~~

~~employee. The administrator or another person qualified as a child care supervisor may fill the position. The child care supervisor supervises those persons whose primary responsibility is daily care of children, known as child care staff.~~

~~b) Child care supervisors shall have the following qualifications:~~

- ~~1) be at least 25 years of age;~~
- ~~2) have two years of college credits;~~
- ~~3) have two years of full time experience in a residential child care program;~~
- ~~4) demonstrate skill in working with and managing children of the type served in the program; and~~
- ~~5) demonstrate ability to work cooperatively with administration, staff, and persons external to the program.~~

~~a e)~~ Child care workers' primary responsibility is the daily care of children.

b) Child care workers shall work under the supervision of a child care supervisor and shall have the following qualifications:

- 1) Be~~be~~ at least 18 years of age, if there is an on-site supervisor. If there is no on-site supervisor, child care staff must be at least 21 years of age;
- 2) Hold~~hold~~ a high school diploma or GED certificate;
- 3) Be~~be~~ in good physical and mental health;
- 4) Have~~have~~ the capacity to accept the supervision within the child care program and to relate constructively to authority; and
- 5) Demonstrate~~demonstrate~~ the ability to work cooperatively with other staff and a variety of persons external to the program, including representatives of other institutions and agencies and parents of the children.

~~c d)~~ Child care workers ~~and supervisors~~ employed as of November 30, 1981, by facilities which are licensed shall be deemed qualified.

d e) At least one-half of the child care workers shall be full-time employees.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 404.51 Residential Case Management Supervisors

- a) Each child care institution or a maternity center may establish a residential case management supervisor position.
- b) The duties of Residential case management supervisors shall include but are not limited to:
 - 1) Set up and maintain case files in accordance with proper standards.
 - 2) Develop treatment plans.
 - 3) Conduct treatment plan reviews.
 - 4) Conduct admissions and discharges.
 - 5) Serve as liaison with social workers, family members and other parties.
 - 6) Conduct and document monthly wellness checks.
 - 7) Coordinate arrangements for all medical care.
 - 8) Assist with supervision of residents, as needed.
 - 9) Provide after care services on a scheduled basis and as needed.
- c) All persons employed as residential case management supervisors are required to be in full compliance with Part 412, Licensure of Direct Child Welfare Service Employees and Supervisors and all other applicable requirements in Department laws and regulations. In addition, a person must possess the following qualifications to work as a residential case management supervisor:
 - 1) Bachelor's degree in social work or human/social services with 1 year of experience in a residential care setting; or
 - 2) Bachelor's degree that has been approved as academically equivalent to a social work or human services related degree with 1 year of experience in a residential care setting.

(Source: Added at 46 Ill. Reg. _____, effective _____)

Section 404.52 Child Care Supervisors

- a) There shall be at least one child care supervisor who shall be a full-time employee. The administrator or another person qualified as a child care supervisor may fill the position. Child care supervisors employed as of November 30, 1981 by facilities which are licensed, shall be deemed qualified.
- b) The duties of Child care supervisors shall include but are not limited to:
 - 1) Provide direct supervision to child care workers and children in a child care institution or maternity center.
 - 2) Coordinate proper coverage and oversee the daily operations of the child care institution or maternity center.
 - 3) Coach children on independent living skills such as housekeeping, shopping, meal preparation, and personal hygiene and activity planning.
 - 4) Plan and implement weekly skills groups.
 - 5) Co-leads group and activities.
 - 6) Engage with children about children's goals and interests.
 - 7) Assist with rotating on-call duties.
- c) All persons employed as child care supervisors are required to be in full compliance with Part 412, Licensure of Direct Child Welfare Service Employees and Supervisors and all other applicable requirements in Department laws and regulations, as well as, must meet the qualifications in subsections (c)(1)-(4) of this section. In addition to possessing the following qualifications to work as a child care supervisor, a person qualifying under subsections 404.52(c)(2)-(4) must go through the approval processes described in Sections 404.53-404.56:
 - 1) Be at least 25 years of age; have 2 years of college credits; 2 years of full-time experience in a residential child care program; demonstrate skill in working with and managing children of the type served in the program; and demonstrate ability to work cooperatively with administration staff and persons external to the program. A minimum of 70% of the child care institution's or maternity center's child care supervisors shall meet the standards in this subsection; or

- 2) Bachelor's degree in social work or related human services field or an academically equivalent Bachelor's degree in social work or related human services field and 1 year of experience in a congregate care milieu; or
- 3) Bachelor's degree that has not been approved as academically equivalent to social work or human services related degree and 3 years in a congregate care milieu; or
- 4) High school diploma or a General Education Development Test (GED) with 3 years of experience in a congregate care milieu. The person shall apply in 6 months and enroll within 12 months of employment as a child care supervisor in a college program where at least 30 credit hours in human services course work is required, and complete the 30 credit hours in human services course work within 2 years of enrollment.

(Source: Added at 46 Ill. Reg. _____, effective _____)

Section 404.53 Request for Approval of Applicants under Section 404.52(c)(2)-(4)

When a child care institution or a maternity center wants to select for the child care supervisor position an applicant with qualifications under Section 404.52(c)(2)-(4), the Workforce and Educational Transcript Review Committee shall make a recommendation and the Associate Deputy of Agencies and Institutions Licensing or designee shall approve the applicant before an offer of employment can be made.

- a) The child care institution's or a maternity center's Administrator or Human Resources Director shall submit, using a State of Illinois email account if one exists, to the Workforce and Educational Transcript Review Committee at DCFS.Licwrkforedu@illinois.gov the following documentation:
 - 1) Official or certified copy of high school or undergraduate level educational transcripts;
 - 2) Resume and/or application submitted by the applicant that details employment history by identifying all past employers, positions, responsibilities and respective dates related to applicant's experience in child welfare;
 - 3) An action plan specific to the applicant being considered for employment as a child care supervisor. The plan shall include:
 - A) 90-day probationary period;

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- 3) An employee roster of all child care supervisors with the following information:
 - A) Current title;
 - B) Educational credentials;
 - C) Work experience; and
 - D) Hire date.
- 4) If an applicant with the qualifications listed in Section 404.52(c)(1) applied for the child care supervisor position but was not selected, the child care institution or maternity center must provide a written statement indicating the reasons for not selecting the candidate.

(Source: Added at 46 Ill. Reg. _____, effective _____)

Section 404.54 Workforce and Educational Transcript Review Committee

- a) For purposes of this Part, the Workforce and Educational Transcript Review Committee established in Part 401 shall, in addition to any other duties listed in Parts 401 and 403, perform the following functions:
 - 1) For applicants with qualifications under Section 404.52(c)(2)-(4) review the documentation submitted pursuant to Section 404.53 and recommend approving or denying the request.
 - 2) For applicants with a Bachelor's degree in another field who have completed significant course work that may qualify as human services course work, the committee shall review all transcripts and course information and make a decision on the equivalency of the degree to a human services degree.
- b) The Workforce and Educational Transcript Review Committee shall follow the same review process enumerated in Parts 401 and 403. Specifically:
 - 1) The chair person or designee shall view the committee's mailbox DCFS.Licwrkforedu@illinois.gov on daily basis.
 - 2) The chair person shall review all documents received, develop a written summary of the applicant's qualifications and forward the summary with supporting documents to all Workforce and Educational Transcript

Review Committee members via their respective State of Illinois e-mail addresses before the scheduled review by the committee.

- 3) The chair person shall schedule a meeting of the Workforce and Educational Transcripts Review Committee on the 1st and 3rd Fridays of every month. If a holiday falls on the scheduled date, the committee will meet the next following business day. Based on the number of requests for approval and availability of the committee members, the DCFS Committee Chair may schedule additional meetings. The purpose of the meeting is for the members to review, discuss and recommend by majority of members present to approve or deny the request. For purposes of this subsection, 4 members present constitutes a majority. The chair person shall not vote unless to break a tie.
- 4) Within 5 business days following the meeting, the chair person shall send the following documentation to the Associate Deputy of Agencies and Institutions Licensing, Deputy Director of Licensing and all the committee members:
 - A) Documentation received under Section 404.53; and
 - B) Written memorandum which states the committee's recommendation and the reasons supporting the recommendation.

(Source: Added at 46 Ill. Reg. _____, effective _____)

Section 404.55 Final Administrative Decision

- a) The Associate Deputy of Agencies and Institutions Licensing or designee shall make the final administrative decision whether to approve or deny a request to approve an applicant with qualifications under Section 404.52(c)(2)-(4) for a child care supervisor position. The Associate Deputy of Agencies and Institutions Licensing or designee shall review the documentation received under Section 404.53 and the written memorandum with the Workforce and Educational Transcripts Review Committee's recommendation and shall issue a final written administrative decision within 5 business days of receiving the documentation for review under Section 404.54(b)(4).
- b) The final written administrative decision of the Associate Deputy of Agencies and Institutions Licensing or designee is not appealable.
- c) Upon issuance, the final written administrative decision shall be sent to the following:

- 1) Administrator or Human Resources Director of the child care institution or maternity center making the initial request;
 - 2) Deputy Director of Licensing;
 - 3) Chair person of the Workforce and Educational Transcripts Review Committee; and
 - 4) The assigned Agencies and Institutions Licensing staff for requesting child care institution or maternity center.
- d) A final written administrative decision shall be issued within 10 business days from the meeting at which the Workforce and Educational Transcripts Review Committee reviewed the request. The request will not be considered automatically approved if the final written administrative decision is not reached within ten business days from the meeting at which the Workforce and Educational Transcripts Review Committee reviewed the request. A written notification of an extension shall be sent to the Administrator or Human Resources Director of the child care institution or maternity center making the initial request, if an extension is needed to process the request.

(Source: Added at 46 Ill. Reg. _____, effective _____)

Section 404.56 Progress and Compliance Review

- a) An applicant with qualifications under Section 404.52(c)(2)-(4) approved for the child care supervisor shall be under the direct supervision of a program administrator or a residential case management supervisor.
- b) An applicant with qualifications under Section 404.52(c)(4) approved for the child care supervisor shall be subject to progress review towards his or her compliance with time frames for application, enrollment and completion of course work.
- c) The assigned Agencies and Institutions Licensing staff for the requesting child care institution or maternity center shall conduct the review. The child care institution or maternity center shall make available for inspection and review documentation listed in Section 404.56(d)-(e) at the request of the assigned Agencies and Institutions Licensing staff.
- d) The child care institution or maternity center shall maintain in the applicant's personnel file documentation proving that the applicant:

- 1) Applied in 6 months and enrolled within 12 months of employment as a child care supervisor in a college program with at least 30 credit hours in human services course work; and
 - 2) Is on track with completing the required 30 credit hours in human services course work within 2 years of enrollment.
- e) Proof of application, enrollment and completed course work shall include but not be limited to:
- 1) Written statement from the college/university's office of admissions confirming receipt of application for admission; and
 - 2) Official undergraduate transcript; or
 - 3) Enrollment verification statement from the college/university's office of the registrar with the following information:
 - A) Applicant's Name;
 - B) Degree program;
 - C) Enrollment status and start/end dates for each semester; and
 - D) Course work and credits.
- f) Failure of the applicant to apply in 6 months and enroll within 12 months of employment as a child care supervisor in a college program where at least 30 credit hours in human services course work is required, and complete the 30 credit hours in human services course work within 2 years of enrollment shall result in the person serving in the child care supervisor position to be determined unqualified to continue serving in the position.

(Source: Added at 46 Ill. Reg. _____, effective _____)

Section 404.57 Acceptable Degrees

- a) The following degrees shall be accepted as human services degrees:
- 1) Child, Family and Community Services
 - 2) Early Childhood Development

- 3) Guidance and Counseling
- 4) Home Economics - Child and Family Services
- 5) Human Development Counseling
- 6) Human Service Administration
- 7) Human Services
- 8) Master of Divinity
- 9) Pastoral Care
- 10) Pastoral Counseling
- 11) Psychiatric Nursing
- 12) Psychiatry
- 13) Psychology
- 14) Public Administration
- 15) Social Science
- 16) Social Services
- 17) Sociology

b) The following degrees shall be accepted as academically equivalent to human services degrees:

- 1) Criminal Justice
- 2) Health Care Administration
- 3) Health and Wellness
- 4) Public Health Administration
- 5) Health and Human Services

- 6) Youth/ Family Services and Administration
- 7) Human Services Administration
- 8) Applied Behavioral Services
- 9) Behavioral Analysis and Therapy
- 10) Child and Adolescent Development
- 11) Child Development
- 12) Communicative Disorders with a specialization in Rehabilitation Counseling
- 13) Community Counseling
- 14) Counseling
- 15) Counseling for Child Welfare Specialist
- 16) Correctional Counseling
- 17) Education- Counseling Major
- 18) Education- Counseling and Human Development
- 19) Education- Guidance and Counseling
- 20) Counseling and Organizational Psychology
- 21) Counseling Studies
- 22) Education Curriculum development-coursework in early childhood, childhood psycho-pathology, pre-school child
- 23) Alcoholism and Drug Abuse
- 24) Family and Consumer Sciences
- 25) Human Behavior

- 26) Human Development
- 27) Human Ecology with specialization in Human Development and Family Studies
- 28) Human Services and Counseling
- 29) Leadership and Human Services Administration
- 30) Not-for-profit Management
- 31) Professional Counseling
- 32) Public Management
- 33) Rehabilitation Counseling
- 34) Social and Behavioral
- 35) Social Psychology
- 36) Urban Education Community Counseling

(Source: Added at 46 Ill. Reg. _____, effective _____)